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UNLIMITED JURISDICTION

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

STEVE ONGELE, Plaintiff, vs. CITY OF LOS ANGELES, a municipal entity; and DOES 1 through 100, inclusive, Defendants.	**CASE NO. 21STCV01724** **[Assigned to the Hon. Christopher K. Lui, Judge, Dept. "76"]** **PLAINTIFF'S NOTICE OF MOTION AND MOTION FOR TRIAL PREFERENCE UNDER *C.C.P.* § 36; DECLARATION OF BOBBY GILMORE; DECLARATION OF STEVE ONGELE; DECLARATION OF DIANA WANG WELLS** **Date: March 19, 2024** **Time: 8:30 a.m.** **Dept.: "76"** **RES. ID: 251543273235** **Action Filed: January 15, 2021** **FSC: October 21, 2024** **Trial: November 4, 2024**

TO THE ABOVE-ENTITLED COURT, DEFENDANT, AND ITS COUNSEL OF RECORD:

PLEASE TAKE NOTICE that at 8:30 a.m. on March 19, 2024, or on an earlier date to be determined by the Court, in the Los Angeles County Superior Court, 111 N. Hill Street, Department "76," Los Angeles, California 90012, Plaintiff Steve Ongele (hereafter "Plaintiff") will

and does hereby move for an order setting the trial date in this matter for a date no more than 120 days from the date of the order under *Code of Civil Procedure* section 36.

This Motion will be based on this Notice, the Memorandum of Points and Authorities in support hereof, the Declarations filed in support hereof, all of the pleadings, records, and files of the Court related to this matter, and further oral and documentary evidence as may be presented at the time of the hearing.

Dated: February 22, 2024

LAW OFFICES OF GREGORY W. SMITH, LLP

By: */s/ Diana Wang Wells*
GREGORY W. SMITH
DIANA WANG WELLS
Attorneys for Plaintiff
STEVE ONGELE

MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

The trial date in this matter is currently set for November 4, 2024. The trial in this matter has been continued on four (4) different occasions.

This case involves a single cause of action for whistleblower retaliation under *Labor Code* section 1102.5, based on Defendant City of Los Angeles's termination of Plaintiff in 2019. Since that time, Plaintiff has not been able to work due to debilitating mental and physical conditions. Without employment and with bills to pay related to living expenses, rent, and his children's college tuition, Plaintiff has completely depleted his personal savings, in excess of $100,000, and is now in over $50,000 of debt.

Over the past year, and particularly over the last several months, Plaintiff's cognitive and emotional health have declined to the point where he is now struggling regularly with remembering circumstances and events, expressing himself verbally, and responding to questions about simple matters. Plaintiff has attached sworn declarations from his treating therapist of the last 3.5 years and his primary handling attorney since the inception of this litigation attesting to their observations of Plaintiff's diminishing cognitive capabilities.

In addition, since late 2023, Plaintiff has been experiencing suicidal ideations which have increased in frequency and severity, to the point where Plaintiff's therapist recently worked with him to develop a safety plan so he has steps he can take to avoid harming himself.

Under *Code of Civil Procedure* section 36, subdivision (e), the Court has the discretion to grant trial preference where it is satisfied that Plaintiff has made a showing that the interests of justice will be served by granting this preference. Plaintiff brings this Motion under section 36(e) requesting that the Court advance his trial date to a date within 120 days of the hearing on this Motion, so that this case can be resolved as soon as possible, and so that the next trial date in this matter is firm and cannot be continued again.

As set forth below, Plaintiff has demonstrated that his mental and cognitive health are of such a condition that preference is necessary to prevent prejudicing his interest in the litigation, and the interests of justice will be served by granting the preference.

II. SUMMARY OF PROCEDURAL HISTORY

This case was filed in January 2021. At no fault of Plaintiff Steve Ongele, the trial has been continued four (4) times as follows:

1) **September 26, 2022 trial date** – continued based on Plaintiff's *ex parte* application based on Plaintiff's counsel's mother being admitted into hospice in August 2022
2) **March 20, 2023 trial date** – continued based on Defendant's *ex parte* application based on the alleged need to conduct discovery; opposed by Plaintiff to the extent that the trial date was continued beyond May 2023
3) **October 16, 2023 trial date** – continued based on Defendant's *ex parte* application due to defense counsel's family emergency
4) **May 6, 2024 trial date** – continued to November 4, 2024 based on the parties' joint stipulation requesting that the May 6, 2024 trial date be advanced by several weeks or continued by several weeks in light of Plaintiff's daughter's college graduation on the East Coast during the week of May 13, 2024

At this point, Plaintiff is willing to skip his daughter's May 2024 college graduation if it means his case can be resolved earlier than November of 2024.

III. SUMMARY OF RELEVANT FACTS

Plaintiff Steve Ongele was terminated by Defendant City of Los Angeles in October 2019, over four (4) years ago. (Ongele Decl. ¶ 2.) Since then, he has not been able to work due to debilitating mental and physical conditions. (Ongele Decl. ¶¶ 3-4.) Without employment and with bills to pay related to living expenses, rent, and his children's college tuition, Plaintiff has completely depleted his personal savings, in excess of $100,000, and is now in over $50,000 of debt, which is growing daily. (Ongele Decl. ¶ 6.)

In addition, Plaintiff's mental and emotional health have deteriorated significantly over the last year, and especially in the last several months. According to Plaintiff's treating therapist since July of 2020, Bobby Gilmore, LCSW, Plaintiff's memory, verbal expression, and even logical reasoning have been steadily declining over the last 12 months. (Gilmore Decl. ¶¶ 4, 7.) This manifests in Plaintiff having trouble remembering facts, finding words, and responding to questions

even about simple matters. (Gilmore Decl. ¶ 8.) As a result, Mr. Gilmore has observed that Plaintiff has been unable to finish sentences, and at times even cannot continue talking due to his mental and emotional state. (Gilmore Decl. ¶ 9.) Plaintiff even struggles during his regular sessions with Mr. Gilmore to remember what they discussed from the prior session just one week before, and has also had difficulty remembering facts related to his termination by the City. (Gilmore Decl. ¶¶ 10-11.) Mr. Gilmore has opined that Plaintiff's current problems with his memory, verbal expression, and logical reasoning are such that the more time that goes by before the resolution of this case, the more diminished Plaintiff's ability will be to assist his attorneys in his case. (Gilmore Decl. ¶ 12.)

Plaintiff's counsel's experience in this regard has been consistent with Mr. Gilmore's observations. Plaintiff's primary handling attorney in this case, Diana Wells, has observed over the last several months a significant decline in Plaintiff's ability to express himself verbally, and even to process and respond to information. (Wells Decl. ¶ 10.) She has seen this through significant slowed speech, to the point where he pauses in the middle of sentences for seconds at a time, and through Plaintiff repeating words as many as four to five times while he tries to get a thought out. (Wells Decl. ¶ 11.) During one recent conversation, Plaintiff abruptly stopped talking to Ms. Wells (without indicating that he needed to get off the call to attend to anything else) and asked if he could just send her an email. (Wells Decl. ¶ 12.) Based on Ms. Wells's experience of working with Mr. Ongele on this case since 2020, and these recent observations, she too has significant concerns about his ability to assist her and other trial counsel with the trial in this matter, and also about his ability to testify at trial if his trial is not held in the next 180 days. (Wells Decl. ¶ 13.)

Moreover, since December of 2023, Plaintiff has been having suicidal ideations which have been increasing in frequency and severity up until the present time. (Gilmore Decl. ¶¶ 13, 15.) In February of 2024, Plaintiff reported to Mr. Gilmore that he was thinking of a plan to step into traffic in order to end his life. (Gilmore Decl. ¶ 14.) Before December of 2023, however, Mr. Gilmore had not observed Plaintiff to have suicidal ideations. (Gilmore Decl. ¶ 13.) Based on his treatment of Plaintiff, Mr. Gilmore has opined that it is not unlikely that Plaintiff may attempt to harm himself, and for that reason, Gilmore recently worked together with Plaintiff to develop a

safety plan so Plaintiff has steps he can take when he starts to consider attempting suicide. (Gilmore Decl. ¶¶ 15-16.)

IV. LEGAL STANDARD FOR MOTIONS FOR PREFERENCE

Code of Civil Procedure section 36, subdivision (e) provides that: "Notwithstanding any other provision of law, the court may in its discretion grant a motion for preference that is supported by a showing that satisfies the court that the interests of justice will be served by granting this preference."

The decision to grant a preferential trial setting rests "in the sound discretion of the trial court in light of the totality of the circumstances." *Salas v. Sears, Roebuck and Co.* (1986) 42 Cal. 3d 342, 344.

Other subdivisions of Section 36 set forth other circumstances under which preferential trial setting is mandatory or discretionary. Under *C.C.P.* section 36, subdivision (a), preference is mandatory where: (1) a party to the action is over 70 years old; (2) that party has a substantial interest in the action as a whole; and (3) ***that party's health "is such that a preference is necessary to prevent prejudicing the party's interest in the litigation***." (Emphasis added.)

Under *C.C.P.* section 36, subdivision (d), preference is discretionary where: (1) a party presents "clear and convincing medical documentation concluding that one party suffers from ***illness or condition raising substantial medical doubt of survival beyond six months***, and … [(2)] ***the interests of justice will be served by granting the preference***." (Emphasis added.)

Upon granting the motion the Court shall set the trial for a date not more than 120 days from the date of the Motion. *Code of Civil Procedure* Section 36(f).

V. THERE IS CLEAR AND CONVINCING EVIDENCE BASED ON A DECLARATION FROM ONGELE'S TREATING THERAPIST OF THE LAST 3.5 YEARS THAT BASED ON HIS CURRENT MEDICAL AND COGNITIVE CONDITION, PREFERENCE IS NECESSARY TO PREVENT PREJUDICING HIS INTEREST IN THIS LITIGATION

Plaintiff Steve Ongele requests preferential trial setting under the discretionary provisions of *C.C.P.* section 36, subdivision (e), on the basis that: (1) he has a substantial interest in this action as a whole; (2) his mental and cognitive health are of such a condition that preference is necessary to prevent prejudicing his interest in the litigation; and (3) the interests of justice will be

served by granting the preference, as Plaintiff's therapist of the last 3.5 years has opined that he is seriously suicidal.

While the criterion that "the health of [a] party is such that preference is necessary to prevent prejudicing the party's interest in the litigation" is one of the requirements used under subdivision **(a)** of *C.C.P.* section 36 (and not subdivision (e)), it is a useful benchmark because it is the primary criterion that elevates cases in which a party is merely over 70 years of age (and no preference is warranted) to a status deserving of preference.

Here, although Plaintiff is not over 70 years of age, he has provided a sworn declaration from his therapist attesting to Plaintiff's recent cognitive decline. Mr. Gilmore has opined that Plaintiff's memory, verbal expression, and logical reasoning have been steadily declining over the last 12 months, resulting in a struggle to remember facts, verbalize his thoughts, and even respond to questions about simple matters. (Gilmore Decl. ¶¶ 7-11.) Mr. Gilmore has opined that Plaintiff's current problems with his memory, verbal expression, and logical reasoning are such that the more time that goes by before the resolution of this case, the more diminished Plaintiff's ability will be to assist his attorneys in his case. (Gilmore Decl. ¶ 12.) Plaintiff's counsel Diana Wells's recent experience with Mr. Ongele corroborates Mr. Gilmore's observations. (See Wells Decl. ¶¶ 10-13.)

Mr. Gilmore's and Ms. Wells's declarations constitute clear and convincing documentation of Plaintiff's current cognitive difficulties, and Mr. Gilmore's declaration further sets forth his professional opinion based on his treatment of Plaintiff over the past 3.5 years that Plaintiff's cognitive decline is likely to continue. (Gilmore Decl. ¶¶ 3-12.)

This evidence from Plaintiff's treating therapist and attorney demonstrates that Plaintiff's mental condition is such that preference is necessary to prevent prejudicing his interests in this litigation. This is not a simple retaliation case. A review of the Complaint in this matter reflects that Plaintiff engaged in *numerous* protected activities under *Labor Code* section 1102.5, the whistleblower statute under which Plaintiff has brought this case, and that Plaintiff experienced a pattern of retaliatory conduct spanning ***several years*** before he was finally terminated in 2019. (See also Wells Decl. ¶¶ 4-5 & Complaint.)

Moreover, multiple of Plaintiff's protected activities in this case are complicated. Some of his protected acts involve a special fund within the City (the Los Angeles Department of Building and Safety Building Permit Enterprise Fund) that is governed by the California Constitution, state statutes, and also City of Los Angeles statutes. (Wells Decl. ¶ 6.) Other of Plaintiff's protected acts related to fraudulent contracts and procurement activities within the Los Angeles Department of Building and Safety, where he used to work. (*Ibid.*) Plaintiff's primary handling attorney in this case has relied heavily on Plaintiff throughout this case not only to understand facts about what happened to him, but also the interaction between state and local statutes and the misconduct concerning which Plaintiff blew the whistle. (Wells Decl. ¶ 7.)

In addition, Plaintiff's testimony in this case is the only evidence that he will be able to present to prove key facts relating to retaliatory intent. Specifically, as a Bureau Chief in the Department of Building and Safety, Plaintiff was so high up in the Department (just two levels below the General Manager of the entire Department) that he was often alone with the City's decisionmakers for critical conversations and interactions. (See Wells Decl. ¶ 8.) Thus, this is not a case where Plaintiff will be able to rely on other witnesses to establish key comments made to him by the General Manager and Executive Officer who terminated him, or to testify about other interactions Plaintiff had with those decisionmakers; Plaintiff is the only witness with personal knowledge of these highly probative statements and interactions. (See *ibid.*)

Further, Defendant is claiming that Plaintiff was terminated for behaving aggressively toward one other employee (in interactions between just the two of them), and uncooperative in interactions between him and his direct supervisor, the Executive Officer of the Department. (See Wells Decl. ¶ 9.) As such, Plaintiff's attorneys will need to rely heavily on Plaintiff at trial to immediately analyze and respond to evidence offered by the defense in this case. (See *ibid.*)

Finally, an extremely concerning recent development in Plaintiff's mental health is that, since late 2023, he has been having suicidal ideations that have increased in frequency and severity. (Gilmore Decl. ¶¶ 13, 15.) In just February of 2024, Plaintiff was devising a plan to step into traffic. (Gilmore Decl. ¶ 14.) Mr. Gilmore is so concerned about Plaintiff's mental health that he recently insisted on developing a safety plan for Plaintiff so that Plaintiff has steps he can take to

try to remain safe when he starts to experience suicidal ideations again. (Gilmore ¶¶ 15-16.) Based on the state of Plaintiff's mental health, which has been severely exacerbated by his mounting financial debt caused by his 2019 termination from the City (see Ongele Decl. ¶¶ 2-6), the interests of justice would be served by granting Plaintiff trial preference such that his case can be set for a firm trial date within 120 days of the hearing on this Motion.

In sum, based on the critical role that Plaintiff will play at trial, both as the central witness in his case and also as a resource that his attorneys will need to rely on for strategic decisions during a fast-moving trial; Plaintiff's declining cognitive capabilities as attested to by his treating therapist of over 3.5 years and his attorney in this action; and Plaintiff's increasingly severe suicidal ideations, the interests of justice require advancing the trial date in this matter to the earliest available date on the Court's calendar, but no later than 120 days after this Motion is heard.

VI. CONCLUSION

For all of the reasons above, and based upon the authorities and evidence cited, Plaintiff Steve Ongele respectfully requests that the Court grant this Motion and advance the trial date in this matter to a date no more than 120 days from the date of the Court's order on this Motion.

Dated: February 22, 2024

LAW OFFICES OF GREGORY W. SMITH, LLP

By: *_/s/ Diana Wang Wells_*
GREGORY W. SMITH
DIANA WANG WELLS
Attorneys for Plaintiff
STEVE ONGELE

“DECLARATION”

DECLARATION OF BOBBY GILMORE

I, Bobby Gilmore, hereby declare:

1. I am over eighteen (18) years of age. Except where otherwise indicated, I could and would competently testify to the facts contained herein from my personal knowledge if called upon to do so.

2. I graduated from the University of Southern California in 2005 with a B.A. in Broadcast Journalism and minor in Sociology and Race Relations. In 2007, I earned a Masters in Social Work from USC.

3. Since 2007, I have worked as a Licensed Clinical Social Worker and clinical consultant. In this capacity, I have provided individual and family therapy for numerous individuals with depression, anxiety, post-traumatic stress disorder, ADHD, bipolar disorder, and other mental health challenges.

4. I have been Steve Ongele's treating therapist for approximately 3.5 years, since in or around July of 2020. Since that time, Mr. Ongele has seen me for one-hour sessions on a regular basis.

5. Since July of 2020, I have treated Mr. Ongele weekly or every other week for his depression and anxiety.

6. I am aware that Mr. Ongele has tried numerous different medications, treatments, and therapies over the past several years in an attempt to address his mental health issues. In fact, I have exhausted all of the tools that I know of in my treatment of Mr. Ongele. Even so, as far as I can tell, none of these interventions are working for Mr. Ongele at this time.

7. Over the last approximately 12 months, I have observed a steady decline in Mr. Ongele's memory, verbal expression, and even logical reasoning.

8. Specifically, Mr. Ongele has been experiencing increasing problems with his memory, difficulty with finding words, and difficulty with responding to questions about simple matters.

9. For Mr. Ongele, this results in significantly slowed speech, unfinished sentences, and even occasions on which he cannot continue talking because he is overwhelmed thinking about

his termination by the City of Los Angeles, the state of his physical and mental health, or his ongoing lack of employment and mounting financial debt.

10. For example, Mr. Ongele currently even struggles during our sessions to remember what we discussed from the prior session just one week before.

11. In addition, I have observed on multiple occasions that Mr. Ongele is unable to remember certain facts related to his lawsuit and the incidents leading up to his termination by the City in or around 2019.

12. It is my opinion that Mr. Ongele's current problems with his memory, verbal expression, and logical reasoning are such that the more time that goes by before the resolution of Mr. Ongele's civil lawsuit against the City of Los Angeles, the more diminished his ability will be to assist his attorneys in his case.

13. In addition, a recent development with Mr. Ongele's mental health, which started just in or around December of 2023, is that he has been having suicidal ideations. Prior to in or around December of 2023, this was not something I had seen with Mr. Ongele.

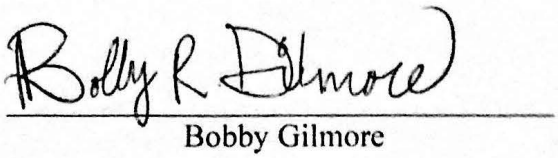
14. During one of our recent sessions, Mr. Ongele reported to me that early this month, he was thinking of a plan to step into traffic in order to end his life.

15. Mr. Ongele's suicidal ideations have been increasing in frequency and severity since December of 2023, to the point where earlier this month, at my request, he and I developed a safety plan for him so he has a list of things he can do to ensure that he does not harm himself in the event of a crisis or triggering event.

16. Based on Mr. Ongele's current mental, emotional, and cognitive state, including his suicidal ideations, I am extremely concerned about his well-being because I believe that it is not unlikely that he may actually attempt to commit suicide.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: February 20, 2024



Bobby Gilmore

“DECLARATION”

DECLARATION OF STEVE ONGELE

I, Steve Ongele, hereby declare:

1. I am over eighteen (18) years of age and the Plaintiff in this case. If called upon to do so, I could and would competently testify to the facts contained herein from my personal knowledge.

2. I was terminated by the City of Los Angeles in October of 2019.

3. Since then, I have been battling depression, anxiety, muscle spasms, and extreme back pain, which sometimes reaches my neck and legs. Since October of 2019, I have been on medication for pain, muscle spasms, nausea, dizziness, vertigo, anxiety, and depression.

4. I have not been able to work since I was terminated in October of 2019.

5. At the same time, I have had to continue paying for various living expenses (including but not limited to rent, food, insurance, utilities, and health expenses) as well as my children's college tuition.

6. I have completely depleted my personal savings, in excess of $100,000, and I am now in over $50,000 of debt, which is growing every day.

7. I am even willing to forgo attending my daughter's East Coast college graduation in May of 2024 if it means that my case can be resolved earlier than November of 2024.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: 02/21/2024

Steve Ongele

“DECLARATION”

DECLARATION OF DIANA WANG WELLS

I, Diana Wang Wells, hereby declare:

1. I am over eighteen (18) years of age, an attorney at law licensed to practice in the State of California, and one of the attorneys of record for Plaintiff Steve Ongele in the instant action.

2. Except where otherwise indicated, I could and would competently testify to the facts contained herein from my personal knowledge if called upon to do so.

3. I have been the primary handling attorney on Mr. Ongele's case since he retained my office in 2020. As such, I have spoken with Mr. Ongele about the facts underlying his case, as well as the civil litigation itself, on numerous occasions since 2020.

4. Although this case contains only one cause of action for whistleblower retaliation, this is not a simple case in that, upon information and belief, Mr. Ongele reported numerous violations of law to his supervisors in the Department of Building and Safety, and thereafter suffered numerous adverse employment actions, over a period of several years.

5. The Complaint in this case alleges no fewer than twenty different occasions on which Mr. Ongele reported violations of law to his supervisors or other employees in the City of Los Angeles.

6. In addition to sheer volume, Mr. Ongele's protected activities are not simple. Multiple of Mr. Ongele's protected activities involve the Los Angeles Department of Building and Safety Building Permit Enterprise Fund. Based on the information I have received from Mr. Ongele, the money in this fund is governed by multiple statutes, including Article XIII C, section 1, subd. (e) of the California Constitution, California *Government Code* sections 8314 and 66014, California *Health and Safety Code* section 19132.3, and City of Los Angeles *Municipal Code* section 5.121.8.1. Multiple other protected acts of Mr. Ongele involve fraudulent contracts and procurement activities within the Department of Building and Safety.

7. Because these issues are so specialized and involve the interaction between various City of Los Angeles *Municipal Code* sections, multiple California *Government Code* and *Health and Safety Code* sections, the California Constitution, and City policies and procedures, I have

leaned heavily on my client in understanding these issues at all stages of his case, including the pleading stage, written discovery, and depositions. This will only intensify as my office prepares for trial and conducts the trial in this case.

8. Moreover, Mr. Ongele is the main and central witness in his case. Upon information and belief: As a Bureau Chief in the Department of Building and Safety, there were only two individuals in the Department who outranked him—the General Manager and the Executive Officer. Both of those supervisors participated in the retaliation against Mr. Ongele, so they are adverse witnesses in this case. In light of Mr. Ongele's high rank before his termination, he was often alone with his supervisors when he reported violations of law to them, so a significant portion of the trial will be Mr. Ongele's word against the word of his two supervisors.

9. Further, Mr. Ongele's former supervisors (General Manager Frank Bush and Executive Officer Osama Younan) have testified that he was terminated for behaving aggressively toward an employee named Jennifer Banos (in interactions between just Ongele and Banos), and for being uncooperative with Executive Officer Osama Younan. Based on the City's defense in this case, I and any other attorneys trying this case will need to rely heavily on Mr. Ongele at trial to immediately analyze and respond to evidence offered by the defense in this case.

10. In my conversations with Mr. Ongele over the last several months, I have observed a significant decline in his ability to express himself verbally, and even to process and respond to information.

11. During my multiple telephone conversations with Mr. Ongele last month (in January 2024) and this month, I have observed that his speech is significantly slower than before late last year, to the point where he pauses in the middle of sentences for seconds at a time. I have also observed that Mr. Ongele repeats words as many as four to five times at the start of or in the middle of sentences, indicating that he is trying to get the rest of his thought out but is not able to without some struggle.

12. During a conversation I was having with Mr. Ongele in late January of this year concerning potentially filing this motion, in the middle of our conversation, Mr. Ongele abruptly stopped and asked if he could just send me an email. He did not state that he needed to get off the

phone, but indicated that he was too overwhelmed to continue discussing the subject verbally.

13. Based on my above-described observations of Mr. Ongele's recent decline in his ability to express himself verbally, particularly with respect to his case, I have significant concerns about Mr. Ongele's ability to testify at trial and also assist me and other trial counsel with his case at trial if the trial in this matter is not held in the next 180 days.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: February 22, 2024

Diana Wang Wells

PROOF OF SERVICE

STATE OF CALIFORNIA)
)
COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years of age, and am not a party to the within action; my business address is 9100 Wilshire Boulevard, Suite 725E, Beverly Hills, California 90212; my email address is: sfrancia@gwslegal.com.

On the date hereinbelow specified, I served the foregoing document, described as set forth below on the interested parties in this action by electronically serving true copies thereof addressed as follows:

DATE OF SERVICE : February 22, 2024

DOCUMENT SERVED : **PLAINTIFF'S NOTICE OF MOTION AND MOTION FOR TRIAL PREFERENCE UNDER *C.C.P.* § 36**

PARTIES SERVED : Heidi Feldstein Soto, City Attorney
Scott Marcus, Chief Assistant City Attorney
Aneta Freeman, Managing Asst. City Attorney
Audrey Egan, Deputy City Attorney
Office of the City Attorney
200 North Main Street, 7th Floor, City Hall East
Los Angeles, California 90012

Emails: Audrey.Egan@lacity.org; monique.arechiga@lacity.org; att.eplservice@lacity.org

XXX (BY ELECTRONIC MAIL) Based on an agreement of the parties to accept service by electronic transmission, I caused such document to be electronically mailed to the electronic notification addresses listed above. No electronic message or other indication that the transmission was unsuccessful was received within a reasonable time after the transmission.

XXX (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

EXECUTED at County of Los Angeles, California on February 22, 2024.

Selma Francia

Court Reservation Receipt

Reservation

Reservation ID: 251543273235	Status: RESERVED
Reservation Type: Motion for Trial Preference	Number of Motions: 1
Case Number: 21STCV01724	Case Title: STEVE ONGELE vs CITY OF LOS ANGELES, A MUNICIPAL ENTITY
Filing Party: Steve Ongele (Plaintiff)	Location: Stanley Mosk Courthouse - Department 76
Date/Time: March 19th 2024, 8:30AM	Confirmation Code: CR-K6VSE3GTXVZJNZSXM

Fees

Description	Fee	Qty	Amount
Motion for Trial Preference	60.00	1	60.00
Credit Card Percentage Fee (2.75%)	1.65	1	1.65
TOTAL			**$61.65**

Payment

Amount: $61.65	Type: Visa
Account Number: XXXX9833	Authorization: 03463G
Payment Date: 2024-01-19	

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